

IN RE: PETITION FOR ZONING VARIANCE
SW/S Ashbury Ave., 775' NW c/l
of Belair Rd., SE/S of Rolling-
view Ave., (Rolling View Green)
14th Election District
6th Councilmanic District
Fitch Avenue Ltd. Partnership
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-449-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit building separations of 10' between Lots #10 & 11 (Block C), 16' between Lots #16 & 17 (Block C), 18' between Lots #4 & 5 (Block C), 16' between Lots #20 & 21 (Block C) and 27' between Lots #29 & 30 (Block B), all in lieu of the minimum 30' for facing elevation heights of 29', as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, by Samir Khouzami, appeared and testified. Appearing on behalf of the Petition was Joseph Larson, P.E., Spellman, Larson and Associates, Inc. Appearing as a Protestant was Scott Sewell.

Testimony indicated that the subject property, known as Rolling View Green, consists of 13.729 acres +/-, zoned D.R.5.5 and is currently in the process of being residentially developed, as indicated on Petitioner's Exhibit No. 1.

Mr. Joseph Larson testified that Petitioner is proposing to residentially develop the subject property with "Deluxe" three story townhouses and single family homes. Mr. Larson testified that the Petitioner had originally planned to reduce the height of the end units to avoid the need for the subject variances. However, he had been advised by the Petitioner's roofer that the roofs on the end units cannot be "certified" if they

are constructed lower than 29 feet, the height of the adjoining units. Mr. Larson also testified that the smaller end units would be out of character with this community.

Mr. Scott Sewell indicated he was concerned that the lower end unit roofs would compromise the esthetic integrity of the neighborhood.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted in part, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good. However, it is clear that a portion of the Petitioner's alleged "hardship" is self-inflicted. In particular, Block B, which generally complies with Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) which defines "Group House", has created its own hardship which can easily be remedied by eliminating one of the units, specifically, the

unit on lot No. 29. Group House is defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

"Group House: Any one of a group of not less than three and not more than six attached dwelling units which have been constructed together in a lateral row surrounded by yard space, each dwelling unit separated from another by a party wall and situated on a separate lot."

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance relief was not granted in part. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance relief requested will not be detrimental to the public health, safety and general welfare, if granted in part.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of June, 1990, that the requested variance relief relative to 27' between Lots No. 29 and 30 located in Block B, is hereby DENIED; and,

IT IS FURTHER ORDERED that the requested variance relief to permit building separations of 18' between Lots No. 10 & 11 (Block C), 16' be-

tween Lots No. 16 & 17 (Block C), 18' between Lots No. 4 & 5 (Block C), 16' between Lots No. 20 & 21 (Block C), all in lieu of the minimum 30' for facing elevation heights of 29' is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein: and,

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioners is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall submit an amended site plan which indicates the removal of the unit on Lot No. 29 and the redrawing of the lot line between Lots 29 and 30 in a manner equally dividing the lots. Said plan shall be prepared by a professional engineer and/or land surveyor, and shall contain any other information as may be required to be a certified site plan. Said plan shall be submitted to the Zoning Commissioner's office on or before 1st day of November, 1990 for final approval.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mmh
cc: Peoples Counsel

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PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-449-A
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 101 to permit building separations of 18' between Lots #10 & #11 (Block 'C'), 16' between Lots #16 & #17 (Block 'C'), 18' between Lots #4 & #5 (Block 'C'), 16' between Lots #20 & #21 (Block 'C') and 27' between Lots #29 & #30 (Block 'B'), all in lieu of the min. 30' for facing elevation heights of 29' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Construction of the end townhouse units as approved would produce an aesthetically unsatisfactory appearance. Also the roof pitch required for the end units and the elevation differential between units is not conducive to proper waterproofing protection.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Fitch Avenue Limited Partnership
(Type or Print Name)
Signature Samir Khouzami
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 105 W. Chesapeake Ave., 823-3535
Towson, MD 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of May, 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

DESCRIPTION FOR VARIANCES TO ZONING, ROLLING VIEW GREEN, 14TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page 1

Beginning for the same at a point on the southeast side of Rolling View Avenue, 40 feet wide, at the distance of 745 feet, more or less, measured southwestly along the southeast side of Rolling View Avenue from the southwest side of Rossville Boulevard said point being also on the outline as shown on a plat of Rolling View Green said plat being recorded among the Plat Records of Baltimore County in Plat Book SM No. 59, Folio 77 and running thence and binding on the outlines of said plat South 44 Degrees 57 Minutes 50 Seconds East 84.14 feet South 44 Degrees 57 Minutes 50 Seconds East 595.63 feet and South 51 Degrees 45 Minutes 10 Seconds West 424.42 feet to the Baltimore Beltway (Interstate Route 695) and running thence and binding on said Baltimore Beltway and still on the outlines of said plat North 60 Degrees 44 Minutes 52 Seconds West 285.79 feet North 40 Degrees 44 Minutes 41 Seconds West 143.26 feet North 31

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

DESCRIPTION FOR VARIANCE TO ZONING, ROLLING VIEW GREEN 14TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page 2

Degrees 01 Minutes 09 Seconds West 177.62 feet North 22 Degrees 12 Minutes 43 Seconds West 618.07 feet and North 15 Degrees 38 Minutes 26 Seconds West 22.87 feet thence leaving said Baltimore Beltway and still binding on the outlines of said plat North 71 Degrees 33 Minutes 24 Seconds East 267.18 feet South 44 Degrees 57 Minutes 50 Seconds East 500.48 feet and South 40 Degrees 43 Minutes 01 Seconds West 100.00 feet to the northeast side of Rolling Vista Court as shown on said plat thence binding on the northeast side of Rolling Vista Court South 44 Degrees 57 Minutes 50 Seconds East 140.11 feet to the southeast side of Rolling View Avenue herein referred to and as shown on said plat and running thence and binding on the southeast side of Rolling View Avenue North 40 Degrees 43 Minutes 01 Seconds East 100.00 feet to the place of beginning.

Containing 13.729 acres of land, more or less.

3/8/90



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 1718

Date: 3/14/90
HP0000314

PUBLIC HEARING FEES	QTY	PRICE
020 - ZONING VARIANCE (OTHER)	1 X	\$175.00
TOTAL:		\$175.00

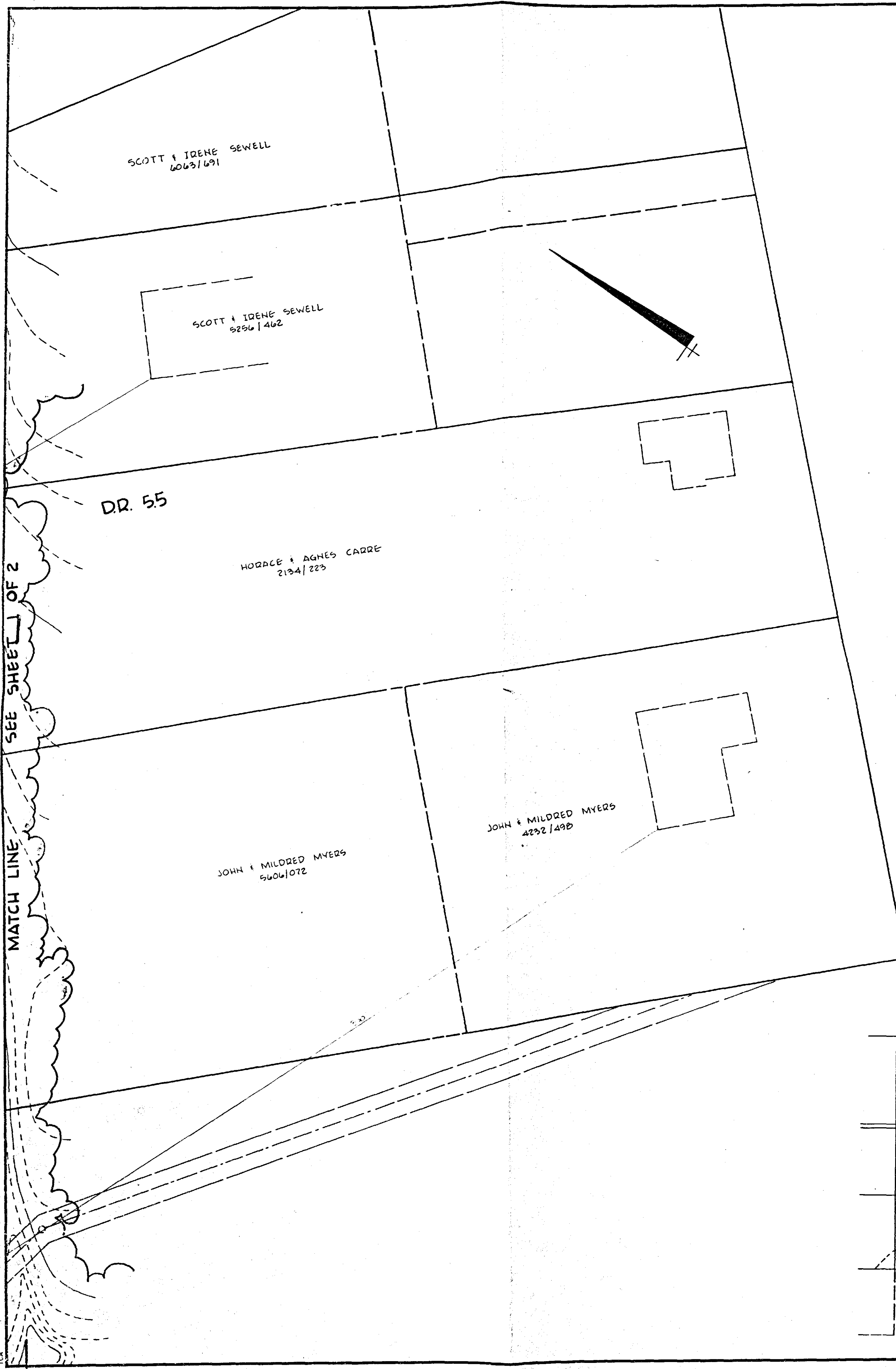
LAST NAME OF OWNER: KHOUZAMI

B B 034*****175001a 3148F
Please make checks payable to: Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th
Posted for: 14th day of June, 1990
Petitioner: Fitch Avenue Limited Partnership
Location of property: 5015 Ashbury Ave., 775' NW c/l Belair Rd.
5015 Ashbury Ave. (Rolling View Green)
Location of Sign: At end of Rolling View Ave. at edge of development of Fitch
Remarks: New development being built, Mr. Smith
Posted by: J. Robert Haines
Date of return: 6/14/90
Number of Signs: 1



OUT OF TRANSITION

WINDOW TO TRACT BOUNDARY	35'
WINDOW TO PROPERTY LINE	15'
BUILDING TO EXISTING R/W	25'
BUILDING TO EXISTING R/W E	50'
BUILDING TO PROPOSED R/W	0'
BUILDING TO TRACT BOUNDARY	30'
WINDOW TO WINDOW	40'
WINDOW TO STREET R/W	25'

HEIGHT TO HEIGHT REQUIREMENTS

0 - 20'	16' SEPARATION
20 - 25'	25' SEPARATION
25 - 30'	30' SEPARATION
30 - 40'	40' SEPARATION
40 - 50'	60' SEPARATION
50 - 60'	75' SEPARATION
BUILDING HEIGHT	BY ZONE
BUILDING LENGTH	300' MAXIMUM

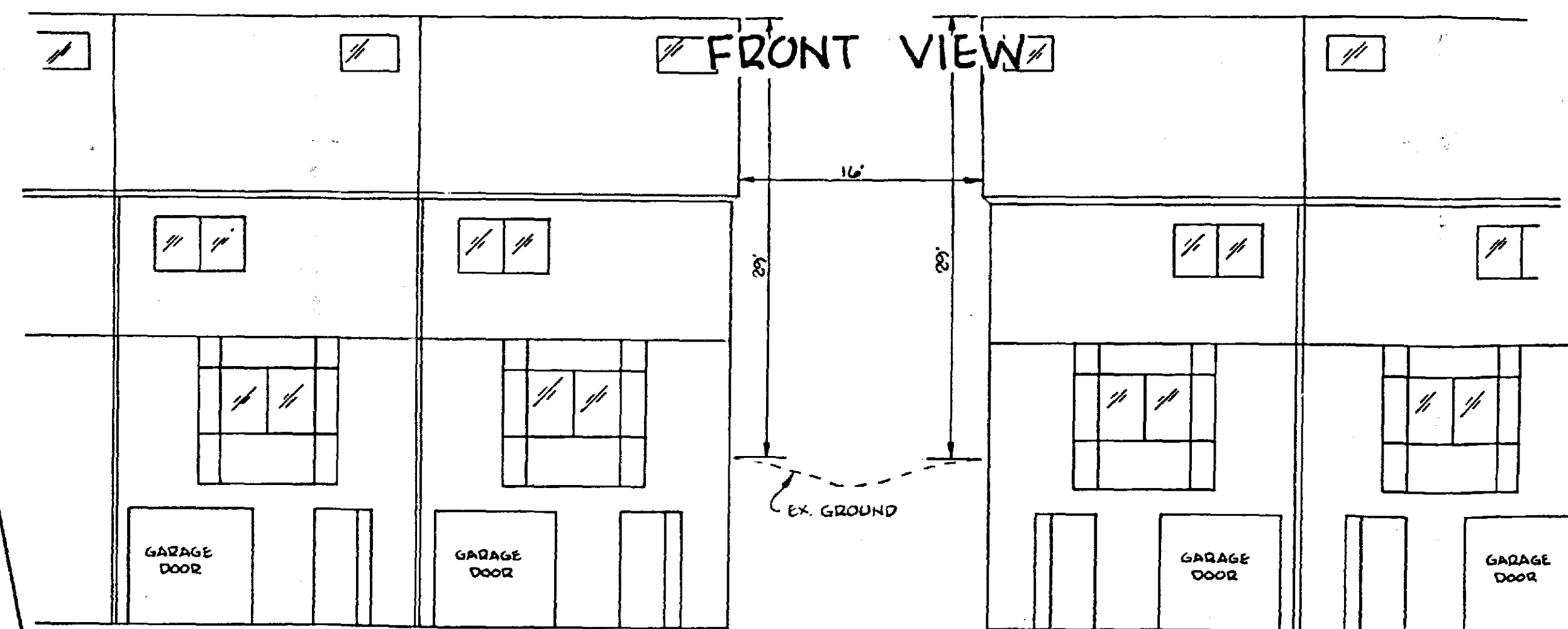
IN TRANSITION/UNLIKE USE/FACING RES.

FRONT	75'
SIDE	75'
REAR	150'
PARKING	75'
BUILDING HEIGHT	35' MAXIMUM
BUILDING LENGTH	130' MAXIMUM

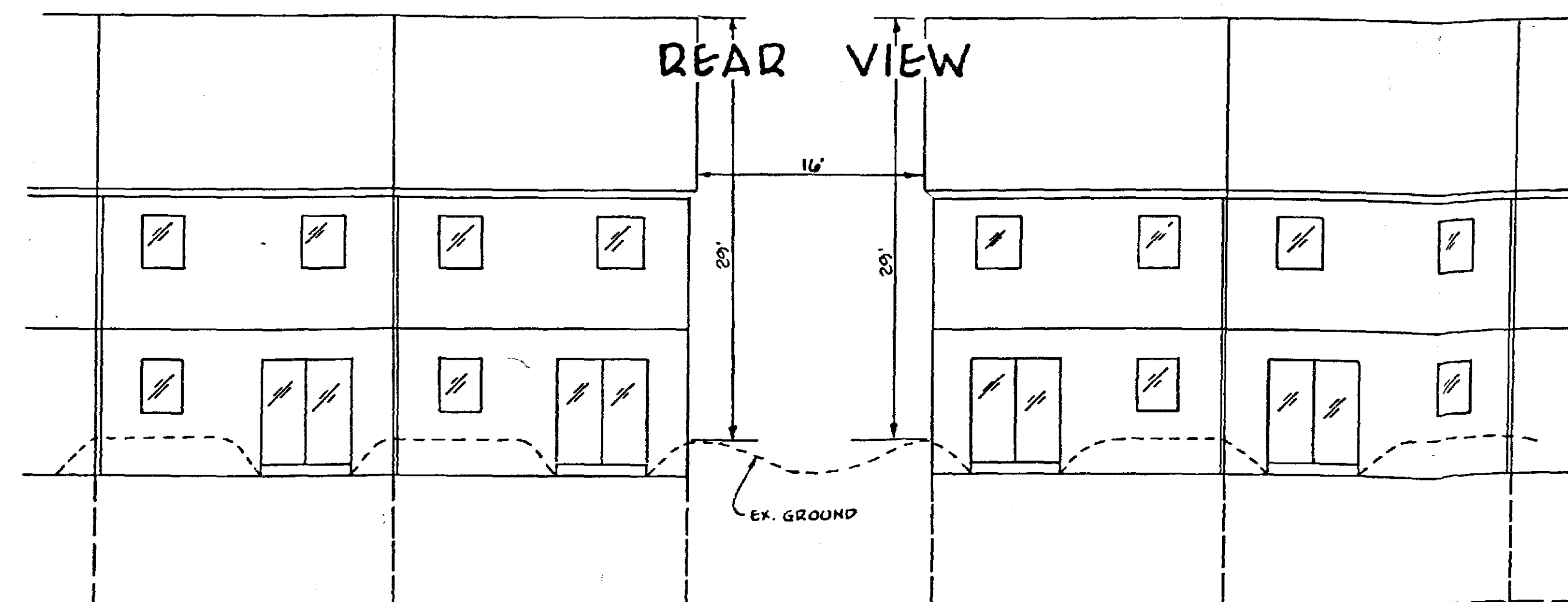
NOTE: DISTANCE BETWEEN FACING ELEVATION IS 1 1/2 X THE HEIGHT OF THE HIGHEST BUILDING.

REASON FOR ZONING VARIANCE

TO PERMIT BUILDING SEPARATIONS OF 16' BETWEEN LOTS #10 & #11 (BLOCK 'C'), 16' BETWEEN LOTS #20 & #21 (BLOCK 'C') AND 27' BETWEEN LOTS #29 & #30 (BLOCK 'B'), ALL IN LIEU OF THE MINIMUM 30'.



NOTE:
FACING ELEVATIONS WILL BE A MAXIMUM OF 20'.



PARKING CALCULATIONS

TOWNHOUSE UNITS	175 PARKING SPACES PER UNIT.
	175 x 45 = 7875
	TOTAL TOWNHOUSE PARKING REQUIRED = 7875
	TOTAL TOWNHOUSE PARKING PROPOSED = 1010
SINGLE FAMILY DWELLINGS	1.75 PARKING SPACES PER UNIT.
	175 x 30 = 525
	TOTAL SFD PARKING REQUIRED = 525
	TOTAL SFD PARKING PROPOSED = 600
	TOTAL PARKING SPACES REQUIRED = 13125
	TOTAL PARKING SPACES PROPOSED = 16100

NOTE: TOWNHOUSE LOTS 11 THRU 25 WILL BE PROVIDED WITH TWO PARKING SPACES. ONE UNDERGROUND (GARAGE) & ONE IN DRIVEWAY PARKING PAD.

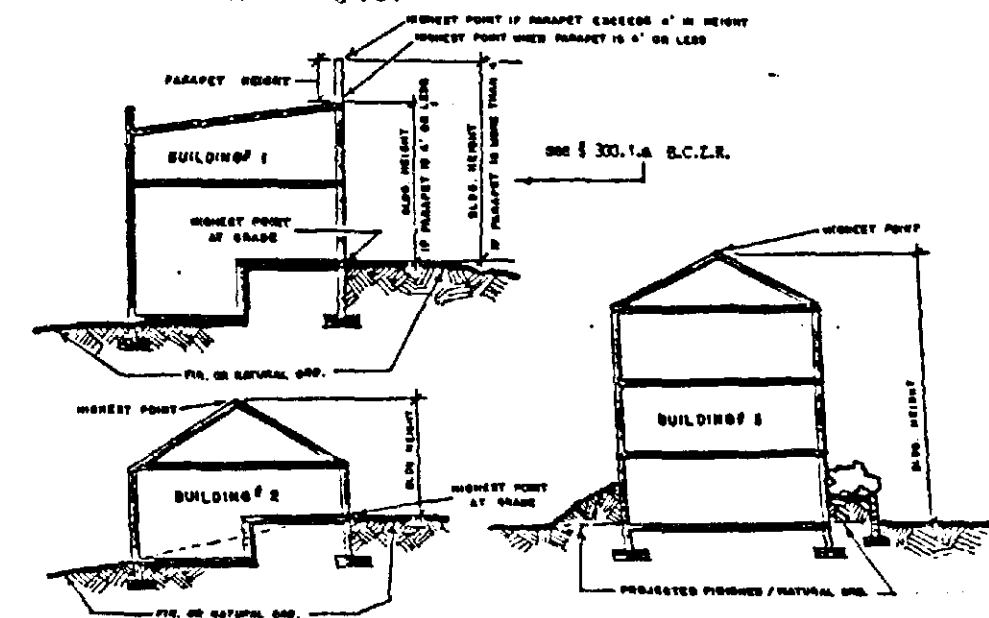
RM-6 HEIGHT DETERMINATION

Due to longstanding problems resulting from the present definition of "Building Height", Section 801.1, 1955, B.C.S., the following height definition and application is hereby adopted as an official policy (8/22/85):

A. HEIGHT OF A BUILDING OR OTHER STRUCTURE: The height of the highest point on a structure.

B. HEIGHT OF A POINT ON A BUILDING OR OTHER STRUCTURE: The vertical distance from the point on the structure to the horizontal projection of the closest point at exterior grade.

C. In instances where it is obvious that the exterior grade has been artificially built up above natural or surrounding finished grade, the vertical distance will be measured by projecting the natural or surrounding finished exterior grade to the closest point (foundation wall). (See Fig. #1)



* The average height method has been difficult to apply due to the fact that it tends to result in different interpretations regarding its proper application to various types of structures.

PETITIONER'S EXHIBIT 4

90-447A

OFFICE OF PLANNING & ZONING
Approved by:

Director of Planning: _____ Date _____

Zoning Commissioner: _____ Date _____

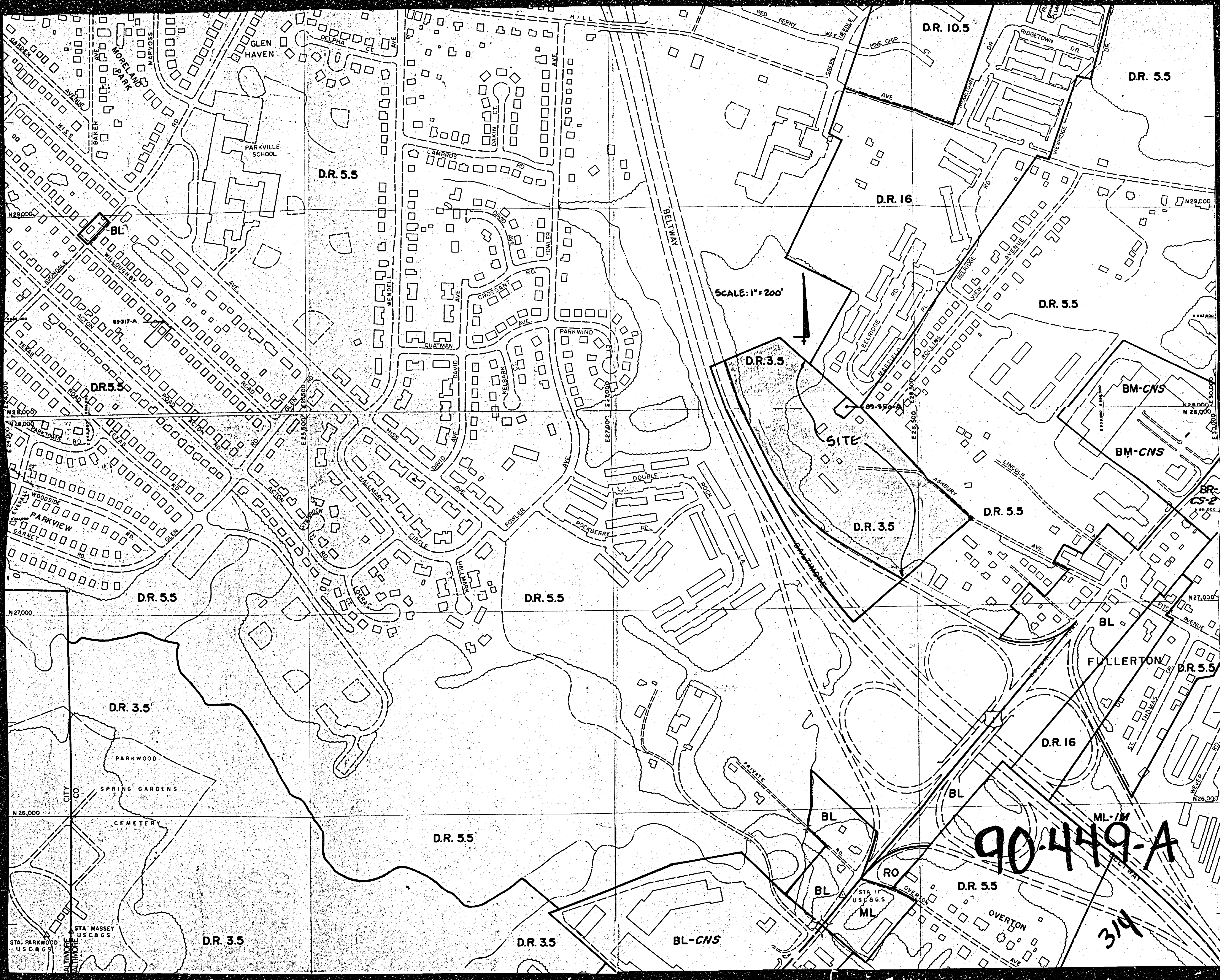
REVISIONS		
NO	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE: 823-3535

OWNER/DEVELOPER
FITCH AVE. LIMITED PARTNERSHIP
11 ROLAND CT.
RUXTON, MD. 21204
PHONE: 821-9432

PLAT TO ACCOMPANY ZONING VARIANCE
OF
"ROLLING VIEW GREEN"

ELECTION DISTRICT 14	BALTIMORE COUNTY, MD.
SCALE: 1" = 20'	DES. BY: J.L.L.
DATE: 2-2-90	DRN. BY: J.M.B.



SCALE: 1" = 200'

SITE

90-449-A

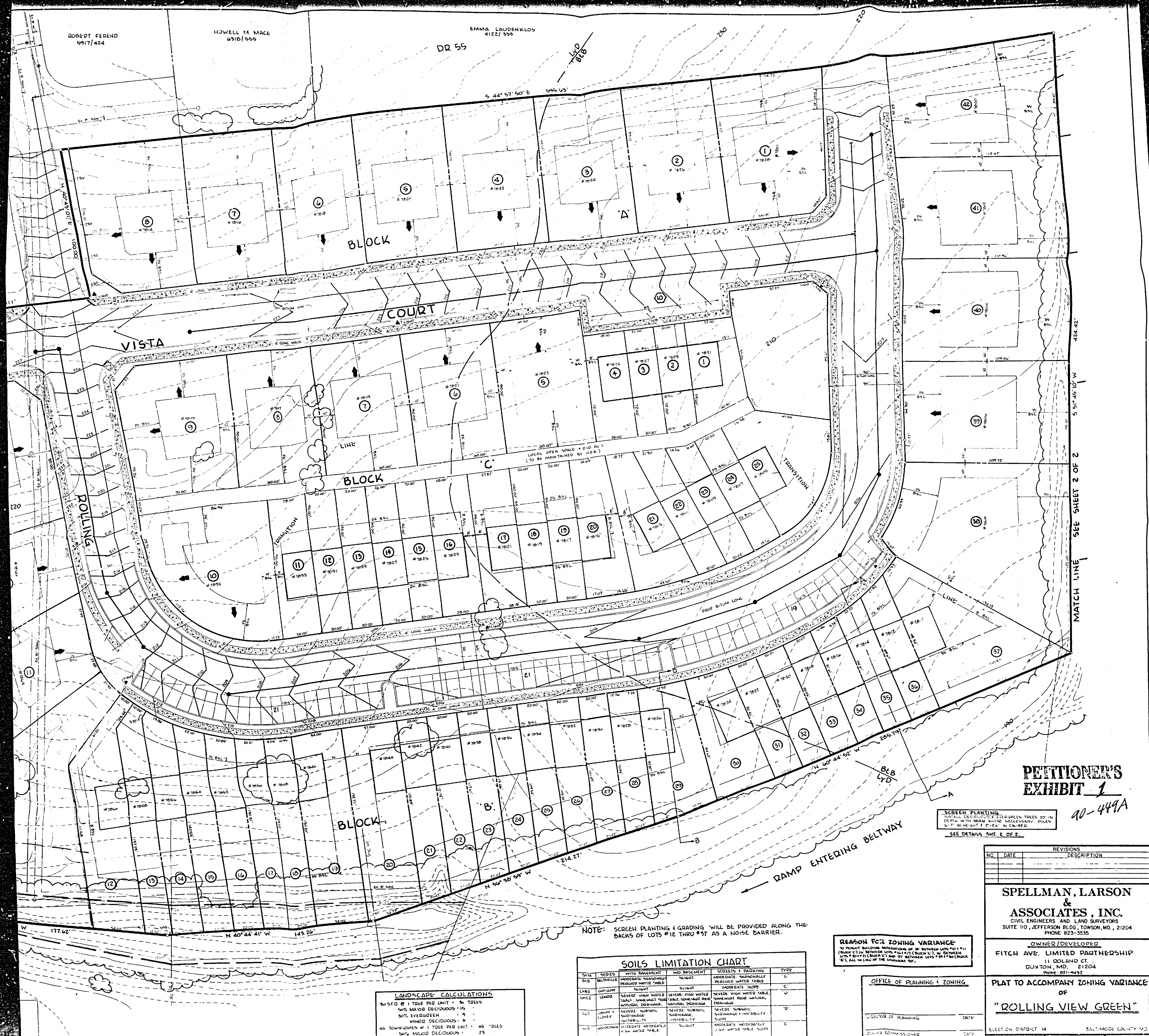
3/4

ROBERT FEREND
5917/424

HOWELL M. MACE
6910/555

EMMA LAUDENKLOS
4122/339

DR. 55



MATCH LINE SEE SHEET 2 OF 2

PETITIONER'S EXHIBIT 1

90-449A

SCREEN PLANTING
NATURAL DECIDUOUS & EVERGREEN TREES 20' IN
DEPTH WITH BERM WHERE NECESSARY. PINES
6'-10' IN HEIGHT & 2'-6" IN CALIBER.
SEE DETAILS SHEET 2 OF 2.

RAMP ENTERING BELTWAY

NOTE: SCREEN PLANTING & GRADING WILL BE PROVIDED ALONG THE
BACKS OF LOTS #12 THRU #37 AS A NOISE BARRIER.

LANDSCAPE CALCULATIONS

80 SFD @ 1 TREE PER UNIT = 80 TREES	
50% MAJOR DECIDUOUS = 15	
30% EVERGREEN = 9	
MINOR DECIDUOUS = 6	
45 TOWNHOMES @ 1 TREE PER UNIT = 45 TREES	
50% MAJOR DECIDUOUS = 23	
25% EVERGREEN = 12	

SOILS LIMITATION CHART				
SYMBOL	SERIES	WITH BASEMENT	WITHOUT BASEMENT	TYPE
BK1	BEAVERVILLE	MODERATE TO SEVERE PERMANENT WATER TABLE	SLIGHT	C
CHB2	CHILLUM	SEVERE HIGH WATER TABLE SOMEWHAT POOR NATURAL DRAINAGE	SEVERE HIGH WATER TABLE SOMEWHAT POOR NATURAL DRAINAGE	C
LY2	LOAMY LOESS	SEVERE SUBSOIL SWELLING INSTABILITY	SEVERE SUBSOIL SWELLING INSTABILITY	D
MB	MCDONALD	MODERATE TO SEVERE HIGH WATER TABLE	SLIGHT	C

REASON FOR ZONING VARIANCE
TO PREVENT BUILDING VARIATIONS OF 10' BETWEEN LOTS #1 & #11
(BLOCK C) IN BETWEEN LOTS #11 & #17 (BLOCK C), IN BETWEEN
LOTS #20 & #21 (BLOCK C) AND #27 BETWEEN LOTS #29 & #30 (BLOCK
B), ALL IN LIEU OF THE MINIMUM 50'.

OFFICE OF PLANNING & ZONING

SECTION OF PLANNING

ZONING COMMISSIONER

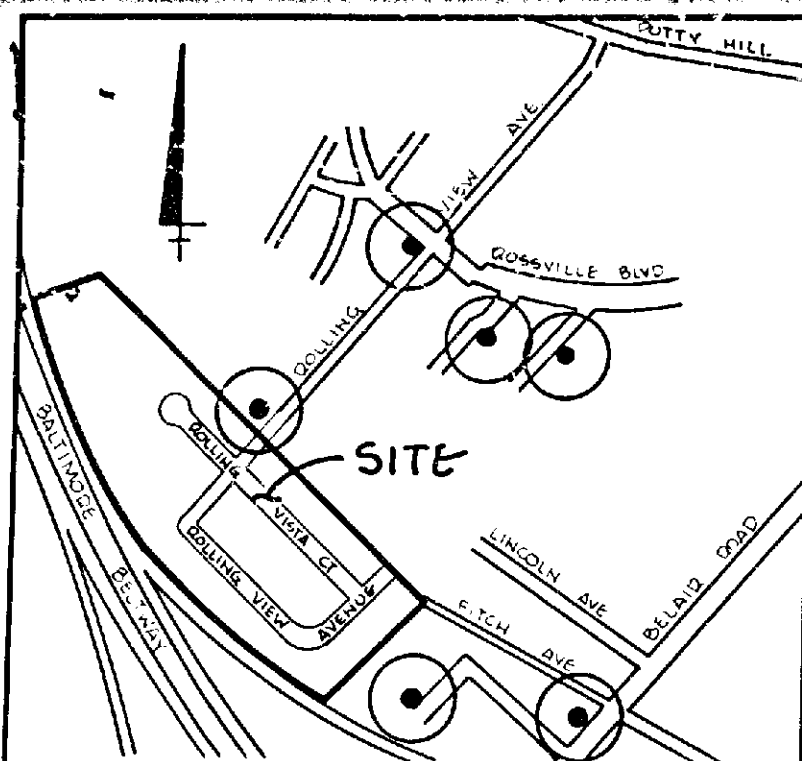
REVISIONS	
NO.	DATE

SPELLMAN, LARSON
&
ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 110, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE 823-3535

OWNER/DEVELOPER
FITCH AVE. LIMITED PARTNERSHIP
11 BOLAND CT.
DUXTON, MD., 21204
PHONE 821-9432

PLAT TO ACCOMPANY ZONING VARIANCE
OF
"ROLLING VIEW GREEN"

ELECTION DISTRICT 14 BALTIMORE COUNTY MD.
SCALE: 1" = 20' LOTS BY JUL 1990



LOCATION MAP
SCALE: 1" = 500'

STATE OF MARYLAND (MILITARY DEPT.)
3980/405
13.89 AC

DR. 55

NOTE:
NO STORM REQUIRED DUE TO
EXISTING GRADING

SECTION A-A
(NTS)

SECTION B-B
(NTS)

TYPICAL (TOWNHOUSE) SECTION
(NTS)

BELAIR VILLAGE APARTMENTS
E.H.W. JR. 3/6/53

HOWARD RAHM
6221/235

MILTON & ELAINE
FITCH
5406/816

ROLLINGVIEW

STORMWATER MANAGEMENT
AREA

BALTIMORE
BELTWAY

C.R.G. APPROVAL DATE: Jan 20, 1980

GENERAL NOTES

1. SITE AREA: 60000 ± 19,729 AC (BY USED) NET: 11,229 AC (SEE NOTE # 9)
2. COUNCILMANIC DISTRICT: 6
3. CENSUS TRACT: 4405
4. WATERSHED: 6
5. SUBDIVISION: 18
6. LOCAL OPEN SPACE REQUIRED: 1.119 AC (TO UNITS = 450 SQ FT = 43750 SQ FT + 43750)
7. LOCAL OPEN SPACE PROVIDED: 1.72 AC
8. LOCAL OPEN SPACE IS TO BE DEDICATED TO BALTIMORE COUNTY
9. EXISTING ZONING: DR 55
10. PROPOSED ZONING: DR 55
11. NUMBER OF DWELLINGS ALLOWED: 75/51 (19,729 ÷ 65)
12. NUMBER OF DWELLINGS PROPOSED: 75
13. AVERAGE DAILY TRIPS: TOWNHOUSES = 45 × 85 = 3825
SFD = 30 × 104 = 3120
TOTAL = 6945 ADT'S
14. EXISTING USE: VACANT
15. PROPOSED USE: RESIDENTIAL
16. DEED REFERENCE: 7/19/1980
17. PROPERTY NUMBER: 14-00-021150
18. SINGLE FAMILY DWELLINGS & TOWNHOUSES ARE TO BE SOLD.
19. DESTROYING TO TOWNHOUSES: WHEN OPEN LAND IS SOLD AND BELONGS TO THE DWELLING UNIT, A MINIMUM AREA (CONTIGUOUS) OF 500 SQ FT IS REQUIRED. THE MINIMUM DEPTH OF THIS CONTIGUOUS AREA IS 10'.
20. COVERED AREAS SUCH AS PORCHES CANNOT BE CALCULATED IN THIS SPACE.
21. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIAL 5' OR MORE ON THIS PROPERTY.
22. NO DISTURBANCE OF WETLAND SOILS WILL BE ALLOWED EXCEPT AS PERMITTED BY BALTIMORE COUNTY WATER QUALITY POLICY.
23. NO CLEARING OR GRADING WILL BE ALLOWED WITHIN THE LOCAL OPEN SPACE.
24. GRADING OF THE SITE WILL BE LIMITED TO ONLY THAT REQUIRED FOR CONSTRUCTION OF HOMES AND DRIVES.
25. NO DEVELOPMENT IS ALLOWED IN THE FLOODPLAIN WETLANDS AND BUFFER.
26. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECREATED (LESS THAN 2 ACRES) THAT CREATE AN RTA ON-SITE ARE SHOWN WITH THE REQUIRED 300' AND 200' BORDERS.
27. PROVIDE TREE PROTECTION WITH SHOWN FENCING OR APPROVED EQUAL FOR LOTS #4, 5 & 6, BLOCK 'B' (PER REC 1 PARAGRAPH).
28. A VARIANCE FOR AN 8' SIDEYARD IN LIEU OF THE REQUIRED 35' FOR LOTS #1 & 2, BLOCK 'B' HAS BEEN APPLIED FOR.
29. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING WHO ENTRANCES IS TO BE DETERMINED BY THE OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO INSTALLATION OF STREET CURBS.
30. IF DRAINAGE, UTILITY & WALKWAY EASEMENTS ARE FENCED, THEN AT LEAST 5' MUST REMAIN OPEN FOR PRESENTATION ACCESS.
31. IF TOWNHOUSES ARE BUILT NEAR TO OR ON THE 500 SQ FT ENVELOPE LINE, ON-GRADE DRIVE'S WILL REQUIRE A ZONING VARIANCE (PUBLIC HEARING) IF THEY PROJECT MORE THAN 4'10" AND EXTEND INTO THE REQUIRED 500 SQ FT OPEN SPACE YARD. WALK-OUTS OR SECOND LEVEL DECKS ARE PERMITTED TO EXTEND INTO THE REQUIRED YARD SPACE IF THEY REMAIN OPEN UNDERNEATH. SEE POLICY 9-11.1.3.4.
32. THIS DEVELOPMENT PLAN COMPLIES WITH THE C.R.G. PLAN AND ALL C.R.G. COMMENTS. A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
33. THE DISTANCE BETWEEN FACING ELEVATIONS IS 1/2 X THE HEIGHT OF THE HIGHEST BUILDING. (SEWING POLICY 9-11.1.3.5)
34. TRASH COLLECTION TO BE BY BALTIMORE COUNTY, IN PUBLIC RIGHT-OF-WAY.
35. DUE TO THE EXISTENCE, OVER A GOOD PORTION OF THIS SITE, OF LOWLY & CLAYED LAND (LCL) IT IS VERY DESIRABLE CERTAIN MITIGATIVE MEASURES MAY BE NECESSARY DURING THE CONSTRUCTION PHASE OF THIS PROJECT. SINCE THIS SOIL TYPE IS VERY INCONSISTENT & VARIABLE IN THICKNESS & TEXTURE, DETAILED MITIGATIVE MEASURES ARE NOT PRACTICAL UNTIL ACTUAL SITE CONDITIONS ARE DEVELOPED. AS PRELIMINARY PROPOSALS WE WOULD SPECIFY THE FOLLOWING: 1) BUILDINGS SPREAD OR SIMILAR FIRM MEDIUM FOOTINGS BE CONSIDERED AND ANY SPECIFIC STRUCTURAL MEASURES REQUIRED IN THE BUILDING CODE OR THE BUILDING ENGINEER. IN ROADWAY AREAS, ANY DISRUPTIBLE SUBGRADE MATERIALS BE EXCAVATED & REPLACED WITH GRAVEL DEPTH. IN WOOD OR GRADED AREAS, STABILIZATION WILL BE INSTALLED AT THE DISCRETION OF THE SOIL CONSERVATION SERVICE.
36. THE GRASS AREAS CALCULATED FOR THE PERMITTED DENSITY DOOR NOT INCLUDE ANY PORTION OF THE BALTIMORE BELTWAY (1-696) RIGHT-OF-WAY.
37. ALL DRIVEWAYS & PARKING SPACES WILL BE PAVED WITH A DUSTLESS & DURABLE SURFACE.
38. PRIVATE DRIVING AREAS & DRIVEWAYS WILL BE PAVED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 13.2.2 OF THE CMOP OR ZONING POLICY BM-11.
39. LIGHTING FACILITIES ARE SHOWN WHEREAN AS FOLLOWS: ▲
40. MAIL DELIVERY WILL BE TO EACH INDIVIDUAL UNIT.
41. TOWNHOUSES WILL RECEIVE STATION PICKUP ON THE BALTIMORE BELTWAY EXCEPT LOTS #1 & 2.
42. SINGLE FAMILY DWELLINGS WILL RECEIVE FRONT STREET COLLECTION EXCEPT LOTS #1 & 2.

SCREENING NOTES

- 1) SCREEN PLANTING & GRASSING WILL BE PROVIDED ALONG THE DEED OF LOTS #1 & 2 TO 37 AS A NOISE BUFFER.
- 2) IN THE EVENT OF A SCREENING BUFFER, THERE ARE NO OTHER SCREENING BUFFER.

REFERENCE DRAWINGS

- | | |
|----------------------------------|---------|
| ROLLINGVIEW AVENUE - WATER | 44-040 |
| SEWER | 44-1078 |
| BELTWAY (LEAST SIDE) - WATER | 44-1078 |
| C.D.W. (NORTHEAST CORNER), SEWER | 44-1077 |

D.R. 55

$$\frac{840}{27}$$

VISTA

BLOCK

COURT

BLOCK

BLOCK

RAMP ENTERING BELTWAY

NOTE: SCREEN PLANTING & GRADING WILL BE PROVIDED ALONG THE BACKS OF LOTS #12 THRU #37 AS A NOISE BARRIER.

REASON FOR ZONING VARIANCE
TO PERMIT WELDING SEPARATIONS OF 10' BETWEEN LOTS #10 & #1

OFFICE OF PLANNING & ZONING

DIRECTOR OF PLANNING

REVISIONS		
NO.	DATE	DESCRIPTION

[illegible][illegible][illegible]

SPELLMAN, LARSON

_____ & _____

ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 110, JEFFERSON BLDG. TOWSON, MD. 21204

PHONE: 823-3535

OWNER/DEVELOPER

FITCH AVE. LIMITED PARTNERSHIP

DUXTON, MD. 21204

PLATE TO ACCOMPANY JOURNALING SHEET

PLAN TO ACCOMPANY ZONING MAP

"...and the...

"ROLLING VIEW GREEN"

ELECTION DISTRICT K BALTIMORE CO

LANDSCAPE CALCULATIONS

325 SF @ 1 TREE PER UNIT = 325 TREES
50% MAJOR DECIDUOUS = 162

30% EVERGREEN

MINOR DECIDUOUS: 45
45 TOWNHOMES @ 1 TREE PER UNIT = 45

50% MAJOR DECIDUOUS : 23

SOILS LIMITATION CHART

DECA	SLIDES	WITH BASEMENT	W/O BASEMENT	SLIDETS & DRAWINGS	TYPE
DECA	DELMONTE	MODERATE TO MODERATELY PROBABLY WATER LOGGED	SLIGHT	MODERATE TO MODERATELY PROBABLY WATER LOGGED	C
DECA	CHILLUM	SLIGHT	SLIGHT	MODERATE NATURAL DRAINAGE	C
DECA	LENGU	PROBABLY WATER LOGGED BUT MODERATE NATURAL DRAINAGE.	SEVERE HIGH WATER TABLE, MODERATE NATURAL DRAINAGE	SEVERE HIGH WATER TABLE, MODERATE NATURAL DRAINAGE	D
LVQ	LOJUNT & LOJUNT	MODERATE TO MODERATELY WATER LOGGED	MODERATE TO MODERATE NATURAL DRAINAGE	MODERATE TO MODERATE NATURAL DRAINAGE	C
LVQ	MODERATELY WATER LOGGED	MODERATELY WATER LOGGED	SLIGHT	MODERATE TO MODERATELY WATER LOGGED	C

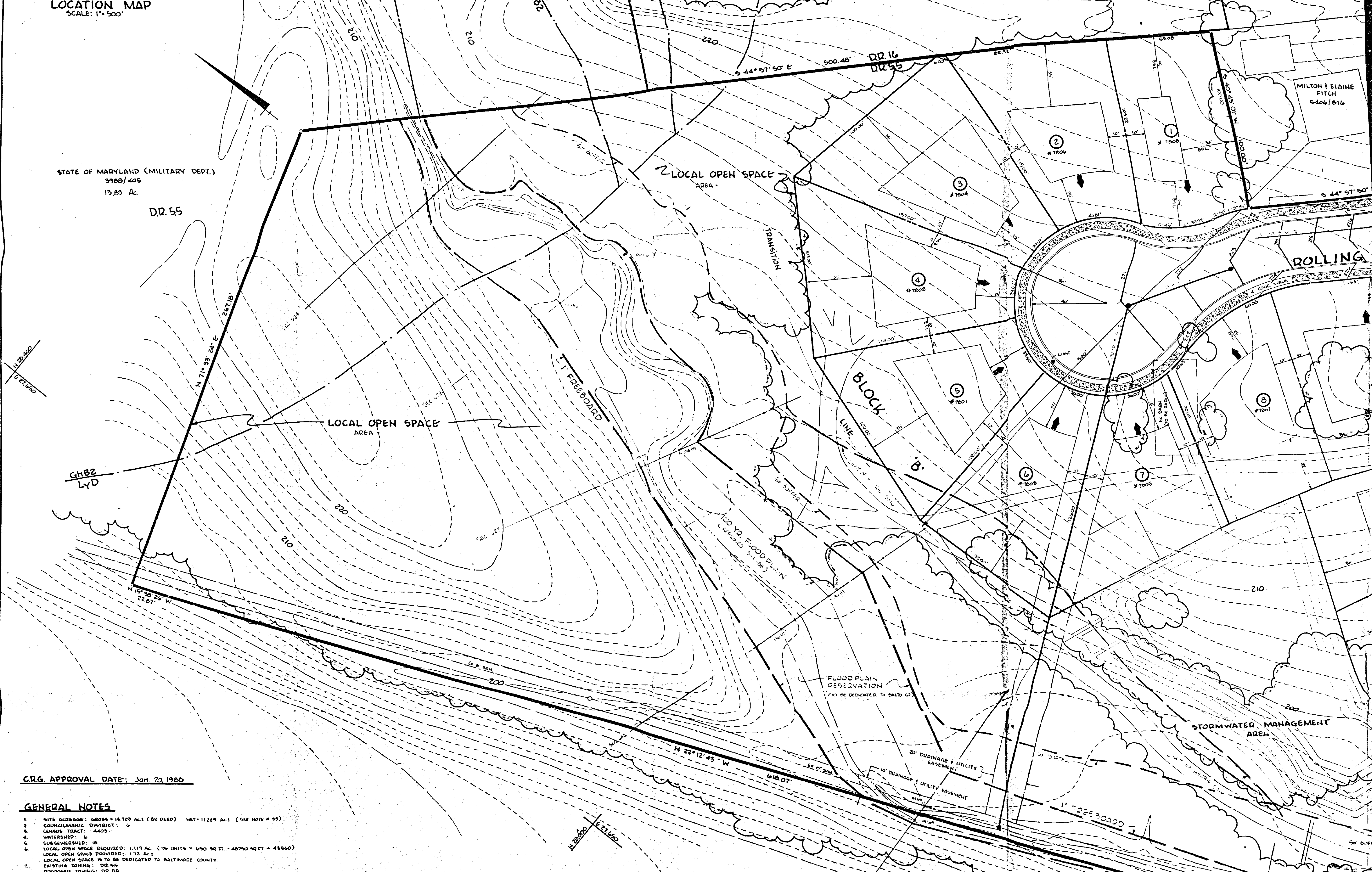
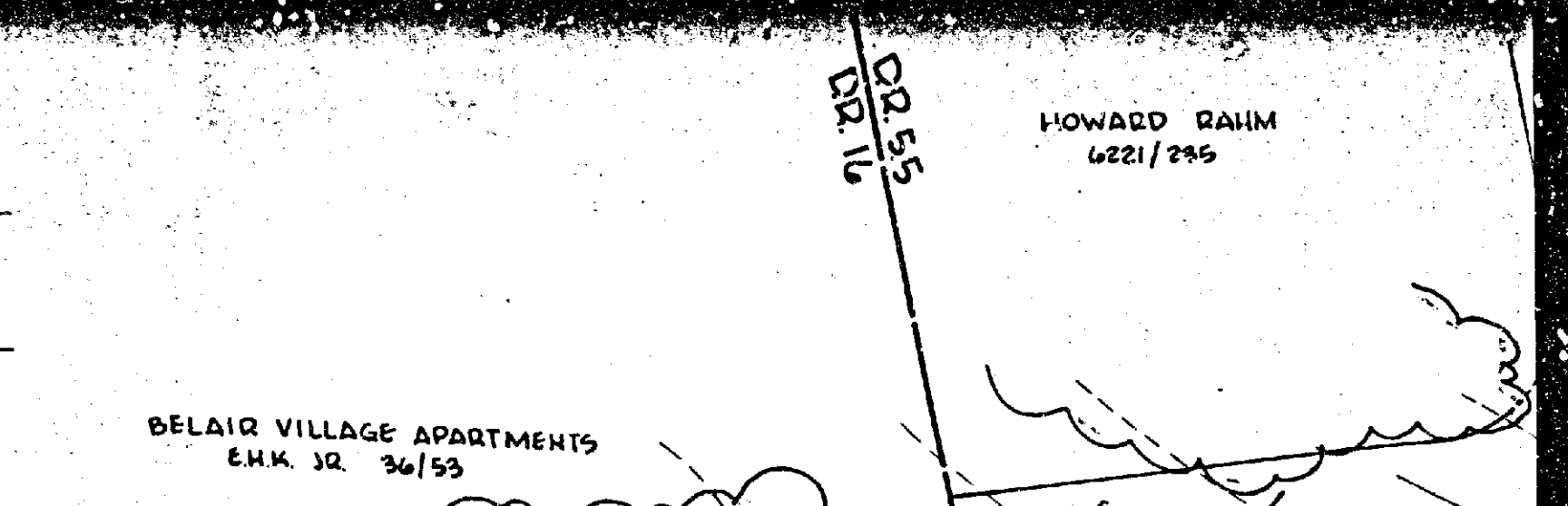
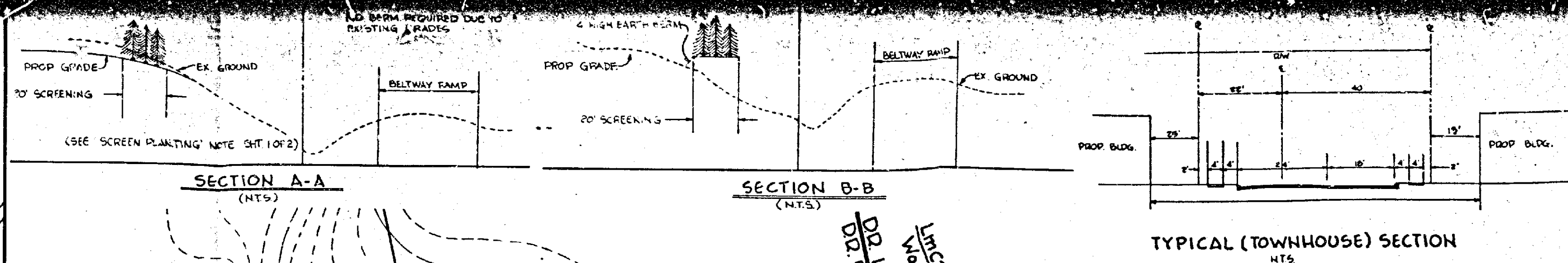
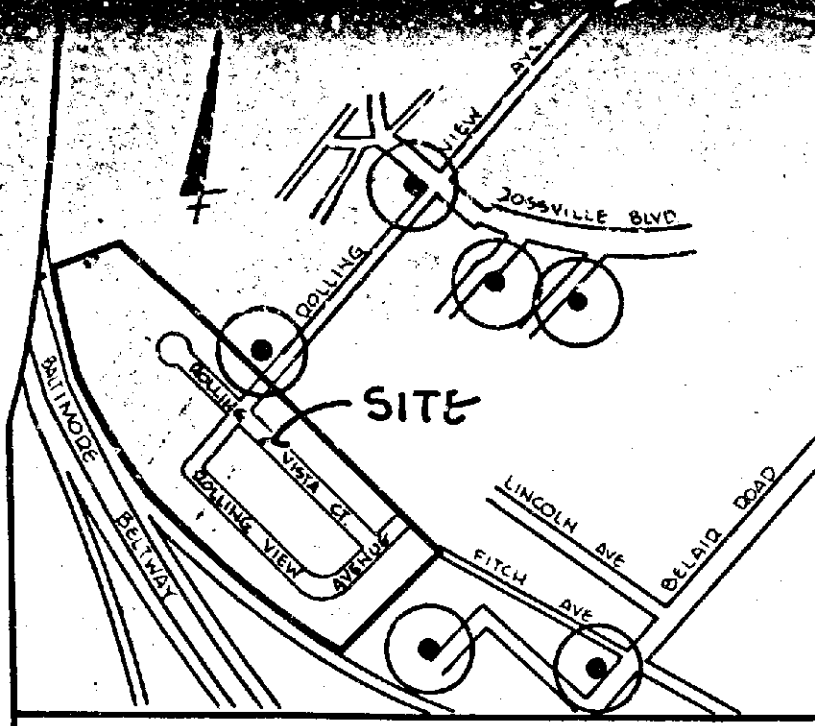
PLATE TO ACCOMPANY JOURNALING SHEET

PLAN TO ACCOMPANY ZONING MAP

"...and the...

"ROLLING VIEW GREEN"

ELECTION DISTRICT K BALTIMORE CO



C.R.G. APPROVAL DATE: Jan 23, 1980

GENERAL NOTES

1. SITE ADDRESS: 6805 + 1979 A.C. (BY DEED) MET 11229 A.C. (SEE NOTE # 9)
2. COUNCILMANIC DISTRICT: 6
3. CANNON TOWNSHIP: 4405
4. WATERSHED: 6
5. SUBDIVISION: 10
6. LOCAL OPEN SPACE REQUIRED: 1.119 AC. (75 UNITS x 450 SQ. FT. = 48750 SQ. FT. + 48960)
7. LOCAL OPEN SPACE PROVIDED: 1.12 AC.
8. LOCAL OPEN SPACE IN TO BE DEDICATED TO BALTIMORE COUNTY
9. EXISTING ZONING: DR 55
10. PROPOSED ZONING: DR 55
11. NUMBER OF DWELLINGS ALLOWED: 75 (1578 + 60)
12. NUMBER OF DWELLINGS PROPOSED: 75 (30 SINGLE FAMILY DWELLINGS, 45 TOWNHOMES)
13. AVERAGE DAILY TRIPS: TOWNHOMES = 45 x 85 = 3825
S.F.D. = 30 x 104 = 3120
TOTAL = 6945 A.D.T.'S
14. EXISTING USE: VACANT
15. PROPOSED USE: RESIDENTIAL
16. PROPOSED ZONING: DR 55
17. PROPERTY NUMBER: 14-00-021100
18. SINGLE FAMILY DWELLINGS & TOWNHOMES ARE TO BE SOLD
19. PRELIMINARY TO TOWNHOMES: WHEN OPEN LAND IS SOLD AND BELONGS TO THE DWELLING UNIT, A MINIMUM AREA (CONTIGUOUS) OF 500 SQ. FT. IS REQUIRED. THE MINIMUM DEPTH OF THIS CONTIGUOUS AREA IS 10'.
20. COVERED AREAS SUCH AS PORCHES CANNOT BE CALCULATED IN THIS SPACE.
21. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIAL SITES ON THIS PROPERTY.
22. NO DISTURBANCE OF WETLAND SOILS WILL BE ALLOWED EXCEPT AS PERMITTED BY BALTIMORE COUNTY WATER QUALITY POLICY.
23. NO GRADING OR GRADING WILL BE ALLOWED WITHIN THE LOCAL OPEN SPACE.
24. GRADING OF THE SITE WILL BE LIMITED TO ONLY THAT REQUIRED FOR CONSTRUCTION OF ROADS AND DRIVEWAYS.
25. NO DEVELOPMENT IS ALLOWED IN THE FLOODPLAIN WETLANDS AND BUFFER.
26. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF 1/4 AC. (LESS THAN 2 ACRES) THAT CREATE AN RTA, ON-SITE ARE SHOWN WITH THE REQUIRED 300' AND 250' ADCS.
27. PROVIDE TREE PROTECTION WITH SHOWN FENCING OR APPROVED SOIL FOR LOTS #4, 5 & 6, BLOCK 'B' (SEE DEC. 1979)
28. A VARIANCE FOR 10' B' SIDEWALK IN LIEU OF THE REQUIRED 30' FOR LOTS #1 & 2, BLOCK 'A' MAP BEEN APPLIED FOR.
29. DEVELOPER SHALL HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY, ACCESSORY STRUCTURES, FENCES & PROJECTIONS INTO YARDS, MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 & 501 OF THE BALTIMORE COUNTY ZONING REGULATIONS. (SUBJECT TO CONVEYANCE AND APPLICABLE BUILDING PERMITS)
30. ACCESSORY STRUCTURES, FENCES & PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOODPLAIN AREAS OR INDOOR SOILS.
31. THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLIES WITH PRESENT POLICY, DENSITY & LAND CONTROLS. AS THEY ARE DELINEATED IN THE REGULATIONS, ANY PART OR PARTS OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS, SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR 2-2-80'S OTHER THAN THAT SHOWN PRESENTLY ON SAID PLAN. UTILITY ACTION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSPORTED FOR THE PURPOSE OF DEVELOPMENT.
32. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAYS OR PARKING PRO ENTRANCES IS TO BE DETERMINED BY THE OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE BUT PRIOR TO INSTALLATION OF ROSEET CORERS.
33. IF DRAINAGE, UTILITY & WALKWAY EASEMENTS ARE FENCED, THEN AT LEAST 5' MUST REMAIN OPEN FOR PEDESTRIAN ACCESS.
34. IF TOWNHOMES ARE BUILT HEAD TO HEAD ON THE 500 SQ. FT. ENVELOPE LINE, ON-GARAGE DECKS WILL OCCUPY A ZONING VARIANCE (PUBLIC HEARING) IF THEY PROJECT MORE THAN 4'10" AND EXTEND INTO THE REQUIRED 500 SQ. FT. OPEN SPACE YARD. WALK-OUTS OR SECOND LEVEL DECKS ARE PERMITTED TO EXTEND INTO THE REQUIRED OPEN SPACE IF THEY REMAIN OPEN UNDERNEATH. SEE POLICY 5-11.2.3.4.
35. THIS DEVELOPMENT PLAN COMPLETES WITH THE C.R.G. PLAN AND ALL C.R.G. COMMENTS.
36. A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
37. THE DISTANCE BETWEEN FACING ELEVATIONS IS 1/2 X THE HEIGHT OF THE HIGHEST BUILDING. (ZONING POLICY 5-11.2.3.5)
38. TRASH COLLECTION TO BE BY BALTIMORE COUNTY, IN PUBLIC RIGHT-OF-WAY.
39. DUE TO THE EXISTENCE, OVER A GOOD PORTION OF THIS SITE, OF LOWLY & CLAYEY LAND (LOD) IT IS VERY POSSIBLE CERTAIN MITIGATIVE MEASURES MAY BE NECESSARY DURING THE CONSTRUCTION PHASE OF THIS PROJECT. SINCE THIS SOIL TYPE IS VERY INCONSISTENT & VARIABLE IN THICKNESS & TEXTURE, DETAILED MITIGATIVE MEASURES ARE NOT PRACTICAL UNTIL ACTUAL SITE CONDITIONS ARE REVEALED. IN PRELIMINARY PROPOSALS, HE WOULD SPECIFY THE FOLLOWING: 1) BUILDINGS SPREAD OR SIMILAR SPIDER WIDENING FOOTINGS BE CONSIDERED AND ANY SPECIFIC STRUCTURAL MEASURES DISCUSSED IN THE BUILDING CODE OF THE BUILDING ENGINEER. IN DOMESTIC AREAS, ANY UNMITIGABLE MEASURES WOULD BE ELIMINATED & REPLACED WITH GOMAL REPAIR. 2) SOPE OR GOMAD AREAS, STABILIZATION WILL BE INSTALLED AT THE DISCRETION OF THE SOIL CONSERVATION SERVICE.
40. THE GOMAD AREAS CALCULATED FOR THE PERMITTED DENSITY DOES NOT INCLUDE ANY PORTION OF THE BALTIMORE BELTWAY (2.1-695) RIGHT-OF-WAY.
41. ALL DRIVEWAYS & PARKING SPACES WILL BE PAVED WITH A DUSTLESS & DURABLE SURFACE.
42. PRIVATE PARKING AREAS & DRIVEWAYS WILL BE PAVED BY ACCORDANCE WITH THE PROVISIONS OF SECTION 11.1.2 OF THE C.R.G. OR ZONING POLICY 5-11.1.
43. LIGHTING FACILITIES ARE SHOWN HEREON AS FOLLOWS: A
44. MAIL DELIVERY WILL BE TO EACH INDIVIDUAL UNIT.
45. TOWNHOMES WILL RECEIVE STATION PICKUP ON THE ISLANDS SEPARATING PARKING AREAS.
46. SINGLE FAMILY DWELLINGS WILL RECEIVE FRONT STREET PICKUP EXCEPT LOT #1 & 2.
47. THESE TWO LOTS WILL BE SERVICED ON THE MAIN ROAD NOT ON THE SPUR WITH THE DEAD END.

SCREENING NOTES	
1) SCREEN PLANTING & GRASSING WILL BE PROVIDED ALONG THE GRADE OF LOTS #12 THRU #37 IN A HOME BORDERS.	
2) INSTALL DECIDUOUS EVERGREEN TREES 30' IN DEPTH WITH BUSH WHERE NECESSARY, 1-4'S 2" IN HEIGHT & 2-2" IN CAL. BEZ.	

REFERENCE DRAWINGS	
ROLLING VIEW INSET: WATER	10-005
ROLLING VIEW INSET: SEWER	10-107
BELTWAY (EAST SIDE): SEWER	10-107S

PARKING